


UNITED STATES DISTRICT COURT

for the
Western District of Texas

FILED

2019 AUG 23 AM 11:59

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXASBY 

Case No.

3:19-mj-08041-RFC

United States of America

v.

Nestor Cristobal PEREZ-Hinojosa

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 21, 2019 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:


Code Section

18 U.S.C. 1546(a)

Offense Description

When applying for admission to the United States, did knowingly personate another and attempt to evade immigration laws by appearing under an assumed or fictitious name.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

Sandra Perez-Alva
CBP Enforcement Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: August 23, 2019City and state: El Paso, Texas

Judge's signature

Robert F. Castaneda
United States Magistrate Judge

Printed name and title

Oath Telephonically Sworn
At 1:01 PM
Fed.R.Crim.P.4.1(b)(2)(A)

FACTS

On or about August 21, 2019, the DEFENDANT, Nestor Cristobal PEREZ-Hinojosa, a native and citizen and of Mexico, applied for admission into the United States via primary pedestrian at the Paso Del Norte of Entry, in El Paso, Texas. The DEFENDANT presented to Customs and Border Protection (CBP) Officer A. Corrales, a Border Crosser (DSP-150) card bearing the name and photograph of another person and represented himself to be that person. The Officer noticed the DEFENDANT's hand were shaking and avoided eye contact. The Officer observed facial discrepancies between the DEFENDANT and the person depicted on the DSP-150 provided. The Officer asked the DEFENDANT if the document he presented belonged to him and the DEFENDANT replied yes. The Officer asked the DEFENDANT where he was going. The DEFENDANT replied he was coming to El Paso, Texas to shop. The Officer asked the DEFENDANT for another form of identification and the DEFENDANT stated he did not have one. The Officer asked the DEFENDANT where he had applied for the DSP-150. The DEFENDANT stated he had applied for the DSP-150 in Ciudad Juarez but could not remember the name of the offices or where they were. The Officer referred the DEFENDANT to Passport Control Secondary (PCS) for further inspection.

In secondary, the DEFENDANT admitted the DSP-150 did not belong to him and further stated he recently found the card in Ciudad Juarez. The DEFENDANT was found to be a citizen and national of Mexico not in possession of any legal document with which to enter, reside, or seek employment in the United States. The DEFENDANT was advised of his Miranda Rights, which he claimed to have understood and declined to provide a statement without the benefit of counsel. Further record checks found the DEFENDANT was previously voluntarily removed to Mexico from the United States.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

CRIMINAL AND IMMIGRATION RECORD

CRIMINAL RECORD

None can be established at this time.

IMMIGRATION RECORD

Voluntary Removal to Mexico from the United States.